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9 *Attorneys for U.S. Bank National Association,*
not in its individual capacity but solely as Trustee
10 *of NRZ Recovery Trust and Ditech Financial, LLC*

11 **UNITED STATES DISTRICT COURT**

12 **DISTRICT OF NEVADA**

13 CHARLES S. GARNER, and CATHY J.
GARNER, husband and wife,

14 Plaintiff,

15 v.

16 DITECH FINANCIAL, LLC, a Delaware
Limited Liability Company, BENEFICIAL
17 MORTGAGE CO. OF NEVADA; U.S. BANK
NATIONAL ASSOCIATION, NOT IN ITS
18 INDIVIDUAL CAPACITY BUT SOLELY AS
TRUSTEE OF NRZ RECOVERY TRUST; and
19 all persons unknown, claiming any legal or
equitable right, title, estate, lien, or interest in the
20 property described in the complaint adverse to
plaintiffs' title, or any cloud on plaintiffs' title
21 hereto, named as DOES 1 through 50, inclusive,

22 Defendants.
23

Case No.: 3:20-cv-00704-MMD-CSD

24 **STIPULATION AND ORDER TO**
25 **DISMISS WITH PREJUDICE**

26 Plaintiffs Charles S. Garner and Cathy J. Garner (**plaintiffs**) and defendant U.S. Bank
27 National Association, not in its individual capacity but solely as Trustee of NRZ Recovery Trust
(**U.S. Bank**), by and through their respective counsel of record, hereby stipulate and agree that the
28 above-entitled action shall be dismissed in full with prejudice.

...

Each party shall bear its own attorney's fees, prejudgment interest, and costs of suit.

IT IS SO STIPULATED.

DATED this 21st day of December, 2022.

AKERMAN LLP	THE LAW OFFICE OF CAROLE M. POPE
<p><u>/s/Nicholas E. Belay</u> ARIEL STERN, ESQ. Nevada Bar No. 8276 NATALIE L. WINSLOW, ESQ. Nevada Bar No. 12125 NICHOLAS E. BELAY, ESQ. Nevada Bar No. 15175 1635 Village Center Circle, Suite 200 Las Vegas, Nevada 89134</p> <p><i>Attorneys for U.S. Bank National Association, not in its individual capacity but solely as Trustee of NRZ Recovery Trust and Ditech Financial, LLC</i></p>	<p><u>/s/ Carole M. Pope</u> CAROLE M. POPE, ESQ. Nevada Bar No. 3779 301 Flint St. Reno, NV 89501</p> <p><i>Attorneys for Charles S. Garner and Cathy J. Garner</i></p>

ORDER

IT IS SO ORDERED.



UNITED STATES DISTRICT COURT JUDGE
 Case No.: 3:20-cv-00704-MMD-CSD

DATED: December 22, 2022

AKERMAN LLP

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